

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF CALIFORNIA

In re

SCOTT CATHCART,

No. 08-11845

Debtor(s).

ALAN M. GRAYSON, et al.,

Plaintiff(s),

v.

A.P. No. 08-1130

SCOTT CATHCART,

Defendant(s).

Memorandum re Tax Returns

A plaintiff with unclean hands is not entitled to relief from a court of equity in the form of an order denying the dischargeability of a debt so long as there is a close nexus between a party's unethical conduct and the transactions on which that party seeks relief. *In re Uwimana*, 274 F.3d 806, 810 (4th Cir. 2001). It is therefore necessary for plaintiff to produce the requested tax returns so that defendant can prepare a proper defense. Plaintiff's legitimate privacy concerns are protected by allowing him the privilege of redacting irrelevant portions of the returns and restricting access to only

1 counsel for defendant. Accordingly, with those protections, defendant's motion for production of the
2 tax returns will be granted.

3 Counsel for defendant shall submit an appropriate form of order which counsel for plaintiff has
4 approved as conforming to this decision.

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6 Dated: January 31, 2010

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9 Alan Jaroslovsky
10 U.S. Bankruptcy Judge
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